

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MINNESOTA

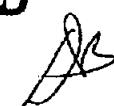
TIMEBASE PTY LTD., )  
vs. Plaintiff, ) CIVIL ACTION NO.: \_\_\_\_\_  
vs. ) COMPLAINT  
THE THOMSON CORPORATION, WEST ) JURY TRIAL DEMANDED  
PUBLISHING CORPORATION, AND WEST )  
SERVICES, INC. )  
Defendants. ) Pat. # 7,293,228

Plaintiff, TimeBase Pty Ltd., ("TimeBase") complains of defendants, The Thomson Corporation, West Publishing Corporation, and West Services, Inc.:

**PARTIES, JURISDICTION AND VENUE**

1. This is a claim for patent infringement arising under the patent laws of the United States, including 35 U.S.C. §271. This Court has exclusive jurisdiction over the subject matter of this action under 28 U.S.C. §1338(a).
2. TimeBase is organized under the laws of Australia, with its principal place of business at Level 1, 362 Kent Street, Sydney, NSW 2000.
3. TimeBase is the owner by assignment and has standing to sue for infringement of United States Patent No. 7,293,228, "Maltweb Multi-Axis Viewing Interface and Higher Level Scoping."
4. The Thomson Corporation ("Thomson") is an alien corporation incorporated under the laws of Canada. Thomson sells publishing services and products nationwide and in this judicial district.
5. West Publishing Corporation ("West Publishing") is incorporated under the laws of Minnesota with its headquarters at 610 Opperman Drive, Eagan, Minnesota.

**SCANNED**  
NOV 07 2007  
U.S. DISTRICT COURT MPLS



6. West Services, Inc. ("West Services") is incorporated under the laws of Delaware with its headquarters at 610 Opperman Drive, Eagan, Minnesota.

7. Thomson, West Publishing, and West Services have used, sold, or offered to sell products and services that infringe the '228 patent within this judicial district, and have advertised the sale of such products in this judicial district.

8. Thomson, West Publishing and West Services are subject to personal jurisdiction in this judicial district.

9. Venue is proper in this district under 28 U.S.C. §§1331(d) and 1400(b).

**PATENT INFRINGEMENT**

10. The defendants have infringed the '228 patent at least by making, using, importing, selling or offering to sell, and by inducing, aiding and/or abetting, encouraging or contributing to others' use of products and services that fall within the scope of one or more claims of the '228 patent. At present, the products embodying the patented invention are PastStat Locator, RegulationsPlus and Graphical Statutes. The asserted claims are, at present, 1 to 46. Additional products may be identified during the course of discovery. Thomson was notified in early 2006 and again in September 2006 that these products would infringe the application from which the '228 patent issued.

11. The defendants' acts of infringement have injured TimeBase, and TimeBase is entitled to recover damages adequate to compensate it for the infringement that has occurred, but in no event less than a reasonable royalty.

12. The infringement by the defendants has injured and will continue to injure TimeBase unless the infringement is enjoined by this Court.

**DEMAND FOR RELIEF**

WHEREFORE, TimeBase respectfully demands judgment against the defendants and their subsidiaries and affiliates as follows:

- A. An award of damages adequate to compensate TimeBase for the infringement that has occurred, together with prejudgment interest from the date infringement of the patent began and through the lifetime of the patent;
- B. Any other damages permitted, including any for willful infringement, under 35 U.S.C. § 284;
- C. A finding that this case is exceptional and an award to TimeBase of its attorneys' fees and expenses as provided by 35 U.S.C. § 285;
- D. An injunction permanently prohibiting the defendants and all persons in active concert or participation with it, from further acts of infringement of the '228 patent; and
- E. Such other and further relief as this Court or a jury may deem proper.

**JURY DEMAND**

TimeBase demands a trial by jury.

Respectfully submitted,

  
Michael R. Cunningham  
Attorney No. 20424  
Gray, Plant, Moaty, Moaty & Bennett, P.A.  
500 IDS Center  
80 South Eighth Street  
Minneapolis, Minnesota 55402  
Phone: (612) 632-3000  
Fax: (612) 632-4444  
[michael.cunningham@gpmlaw.com](mailto:michael.cunningham@gpmlaw.com)

Attorneys for Plaintiff TimeBase Pty Ltd.

Of Counsel:

Joseph N. Hosteny  
Arthur A. Gasey  
Niro, Scavone, Haller & Niro  
181 West Madison, Suite 4600  
Chicago, Illinois 60602  
Telephone: (312) 236-0733  
Fax: (312) 236-3137  
jhosteny@hosteny.com, gasey@nshn.com

GP:2285284 v1